

1 William M. Audet (waudet@audetlaw.com)
2 Michael McShane (mmcshane@audetlaw.com)
3 Adel A. Nadji (anadji@audetlaw.com)
4 AUDET & PARTNERS, LLP
5 221 Main Street, Suite 1460
6 San Francisco CA 94105
7 Telephone: 415.982.1776
8 Facsimile: 415.568.2556

9
10 Law Offices of Anthony M. Urie
11 Anthony M. Urie (Cal. State Bar #92363)
12 18025 17th Ave. N.W.
13 Shoreline, WA 98177

14 *Attorneys for Plaintiffs and
15 the Class Members*

16
17 **UNITED STATES DISTRICT COURT FOR**
18 **THE NORTHERN DISTRICT OF CALIFORNIA**

19 Chelsea, LLC, Mark Russo, Allen Loretz, and
20 Ivan Simpson, individually and on
behalf of all others similarly situated,

21 Plaintiffs,

22 v.

23 Regal Stone, Ltd., Hanjin Shipping, Co., Ltd.,
24 Conti Cairo KG, NSB Neiderelbe, Synergy
25 Maritime, Ltd. *In Personam*; M/V Cosco
26 Busan, their engines, tackle, equipment,
27 appurtenances, freights, and cargo *In Rem*,

28 Defendants.

Case No. C-07-5800-SC

IN ADMIRALTY

**EX PARTE APPLICATION FOR
ENTRY OF INITIAL CASE
MANAGEMENT ORDER**

INTRODUCTION

Plaintiffs make this *ex parte* application due to the fact that no defense firm has yet to formally appear and due to the nature of the request. Good cause exists for the *ex parte* relief sought by Plaintiffs.

This case arises out of the oil spillage in the San Francisco Bay that was caused by the COSCO BUSAN on November 7, 2007. Heading north out to the ocean bound for Asia, the COSCO BUSAN failed to heed normal precautions and hit the fender of tower W4 of the San Francisco Bay Bridge. The impact of the crash tore a huge gash in the side of the vessel and resulted in the spillage of an estimated 58,000 gallons of fuel oil into the fragile San Francisco Bay ecosystem. *See* verified Complaint, ¶¶ 2 and 17.

This man-made disaster will for years have a profound impact on not only the wildlife of Northern California, but has also immediately impacted the livelihood of thousands and thousands of individuals and small businesses. Plaintiffs anticipate that a number of related individual and class action cases will be filed in this District over the next few weeks.

NATURE OF REQUEST

By this application, the undersigned counsel request the Court issue a pretrial order that allows the Clerk of the Court to automatically relate over all class or individual cases of a similar nature to this Court. In doing so, the Clerk of the Court will not have to unnecessarily waste time and resources "relating" over each and every similar case filed in this Court. The proposed order also establishes a "master file" system in the Clerk of the Court's office. The proposed order is modeled on other orders submitted and approved by this Court in other complex matters.

Second, the undersigned believe that the appointment of interim plaintiffs' counsel will save significant time and resources of the Court and its staff by allowing William M. Audet, a well respected San Francisco based attorney at the firm of Audet & Partners, LLP, to serve as the "liaison" between the Court, its staff and the Clerk of the Court, and other plaintiffs' counsel. A copy of Mr. Audet's "CV" is attached to the accompanying Declaration of William M. Audet. In view of the nature and potential impact of the oil spill, the undersigned plaintiffs' counsel believe that dozens of additional related complaints will be filed in this Courthouse over the next weeks.

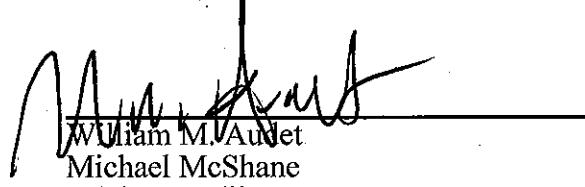
1 During this initial time period, the interim plaintiffs' counsel will be responsible for ensuring that
2 all counsel with filed cases are advised of all pretrial matters, and attempt to reduce any
3 duplication of effort by the Court on this litigation.

4 **CONCLUSION**

5 Plaintiffs respectfully request an Order allowing for related cases to be transferred to this
6 Court for the Clerk's office to establish a "Master File," and to appoint interim liaison counsel
7 for the plaintiffs.

8 Dated: November 28, 2007

AUDET & PARTNERS, LLP



10 William M. Audet
11 Michael McShane
12 Adel A. Nadji
13 221 Main Street, Suite 1460
14 San Francisco CA 94105
15 Telephone: 415.982.1776
16 Facsimile: 415.568.2556

17 Anthony M. Urie (Cal. State Bar #92363)
18 Law Offices of Anthony M. Urie
19 221 Main Street, Suite 1460
20 San Francisco CA 94105
21 Telephone (206) 859-3400

22 *On Behalf of Plaintiffs and the Class*

23
24
25
26
27
28